

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FN 2011-093736

04/18/2012

HON. TERESA SANDERS

CLERK OF THE COURT

K. Depue

Deputy

IN RE THE MARRIAGE OF  
ERIC A GRELL

GREGORY A MALKIN

AND

LAURA ANN GRELL

DEBORAH VARNEY

DOCKET-FAMILY COURT-SE  
FAMILY COURT SERVICES-CCC

**DECREE**

Courtroom 401 – SE

Prior to commencement of today's proceeding, Respondent's exhibits 1 through 18 and Petitioner's exhibits 19 through 21 are marked for identification.

3:07 p.m. This is the time set for Trial on Husband's *Petition for Dissolution of Marriage* filed October 26, 2011. Petitioner/Husband is present with Kevin Vale on behalf of above-named counsel. Respondent/Wife is present with above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held.

Eric Grell and Laura Grell are sworn.

The Rule of Exclusion of Witnesses is invoked by Husband's counsel and the following person is sworn:

- Brandon Honicky

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The witness is admonished and exits the courtroom.

Petitioner's case:

Eric Grell testifies.

Petitioner's exhibit 20 is received in evidence.

Petitioner's exhibit 21 is received in evidence.

Petitioner's exhibit 19 is received in evidence.

Respondent's exhibits 10 through 18 are received in evidence.

Petitioner rests.

Respondent's case:

Brandon Honicky testifies.

The witness is excused.

Laura Grell testifies.

Respondent's exhibit 1 is received in evidence.

Respondent's exhibit 3 is received in evidence.

Respondent's exhibit 4 is received in evidence.

Respondent's exhibit 5 is received in evidence.

Respondent's exhibit 7 is received in evidence.

Respondent's exhibit 8 is received in evidence.

Respondent rests.

Discussion is held.

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There being no further need to retain the exhibits currently in the custody of the division clerk,

**IT IS ORDERED** that the Clerk permanently release those exhibits not offered or received in evidence to the counsel/party causing them to be marked, or to a written designee. The parties, or counsel if represented, shall have the right to re-file relevant exhibits as needed in support of any appeal. Re-filed exhibits must be accompanied by a Notice of Re-filing Exhibits and presented to the Exhibits Room of the Clerk's Office. The Court's exhibit tag must remain intact on all re-filed exhibits.

**IT IS FURTHER ORDERED** that counsel/party or written designee take immediate possession of all exhibits referenced above.

**ISSUED:** Exhibit Release Form

**IT IS FURTHER ORDERED** taking this matter under advisement.

4:39 p.m. Matter concludes.

**LATER:**

**DECREE OF DISSOLUTION OF MARRIAGE**

After trial, the Court took this matter under advisement. The Court considered the testimony and evidence presented.

**JURISDICTION**

**THE COURT FINDS:**

1. At the time this action was commenced at least one of the parties was domiciled in the State of Arizona and that said domicile had been maintained for at least 90 days prior to the filing of the Petition for Dissolution of Marriage.
2. The conciliation provisions of A.R.S. §25-381.09 have either been met or do not apply.
3. The marriage is irretrievably broken and there is no reasonable prospect for reconciliation.

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4. The parties have no minor children.
5. Wife is not pregnant.
6. To the extent that it has jurisdiction to do so, the Court has considered, approved, and made provision for, when applicable, spousal maintenance and the division of property and debts.

Based thereon,

**DISSOLUTION OF MARRIAGE**

**IT IS HEREBY ORDERED** dissolving the marriage of the parties and restoring each party to the status of a single person.

**SPOUSAL MAINTENANCE**

**THE COURT FINDS** that neither party meets the criteria set forth in A.R.S. §25-319(A) for an award of spousal maintenance. Accordingly,

**IT IS ORDERED** that spousal maintenance is not awarded to either party.

**PROPERTY**

**IT IS HEREBY ORDERED:**

1. Each party shall retain as his or her sole and separate property any furniture, furnishings, appliances, tools, art work, collectibles, and related personal property in that party's possession.

2. Each party shall retain as his or her sole and separate property any savings, checking or other financial account held in that party's name.

3. Wife is awarded the 1993 Honda Accord vehicle subject to her being solely liable for any loans or financial obligations associated therewith. Husband is awarded the 1997 Ford F-250 vehicle subject to him being solely liable for any loans or financial obligations associated therewith. The Honda has a current value of \$1760, and the Ford has a value of \$7357. The Ford was Wife's sole and separate property prior to the marriage. Husband owes to Wife an equalization payment of \$6477.00. This equalization payment will be allocated below in the division of debts.

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**DEBTS**

**IT IS ORDERED** that Husband shall be solely liable for, indemnify and hold Wife harmless from the following debts and financial obligations:

1. The Salina Regional Emergency Physicians debt in the approximate amount of \$198.00.
2. The Hancock County Memorial Hospital debt in the approximate amount of \$345.00.
3. The Salina Regional Health Center debt in the approximate amount of \$669.20.
4. The Mayo Clinic debt in the approximate amount of \$8079.93.
5. The Perkins County Health Services debt in the approximate amount of \$492.50.
6. The AMA Radiology Services debt in the approximate amount of \$31.00.
7. The Arizona Regional Medical Center debt in the approximate amount of \$1676.61.
8. The City of Salinas EMS debt in the approximate amount of \$567.80.
9. The Rural Metro debt in the approximate amount of \$907.16.
10. One-half of the 2010 tax liability for Federal and State income taxes in the approximate amount of \$456.00.
11. One-half of the 2011 tax liability for Federal and State income taxes in the approximate amount of \$648.00
12. Unless otherwise provided herein, any financial obligations associated with or arising from any property awarded to Husband herein.
13. Any debts or financial obligations incurred by Husband after the date of service of process.

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14. If Wife is named as a liable party on any debt listed above, Husband shall, within sixty days, take all necessary steps to remove Wife's name as a liable party from said debt.

**IT IS FURTHER ORDERED** that Wife shall be solely liable for, indemnify and hold Husband harmless from the following debts and financial obligations:

1. The \$6,000 debt to her mother.
2. The Orchard Bank credit card (2904) debt in the approximate amount of \$412.77.
3. The Capital One credit card (5051) debt in the approximate amount of \$460.70.
4. Costs associated with preparation of the parties' 2010 and 2011 taxes in the approximate amount of \$452.00.
5. One-half of the 2010 tax liability for Federal and State income taxes in the approximate amount of \$456.00.
6. One-half of the 2011 tax liability for Federal and State income taxes in the approximate amount of \$648.00.
7. Unless otherwise provided herein, any financial obligations associated with or arising from any property awarded to Wife herein.
8. Any debts or financial obligations incurred by Wife after the date of service of process.
9. If Husband is named as a liable party on any debt listed above, Wife shall, within sixty days, take all necessary steps to remove Husband's name as a liable party from said debt.

**IT IS FURTHER ORDERED** that any debts or financial obligations not addressed herein or subsequently discovered and incurred by either party prior to the date of service of process shall be the sole obligation of the party who incurred said debt or obligation, and that party shall indemnify and hold the other harmless therefrom.

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**ATTORNEY'S FEES**

The Court has considered the financial resources of both parties and the reasonableness of the positions each party has taken throughout the proceedings, in accordance with A.R.S. §25-324. The Court finds that each party should bear their own attorney's fees and costs.

**FILED:** Exhibit Worksheet

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ HONORABLE TERESA A. SANDERS

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HONORABLE TERESA A. SANDERS  
JUDGE OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.